

LORD ROSSMORE.

C O P Y

OF

CORRESPONDENCE AND REPORTS

RELATING TO

HIS REMOVAL FROM THE COMMISSION
OF THE PEACE.

Presented to both Houses of Parliament by Command of Her Majesty.



LONDON:
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1884.

[C.—3891.] Price 2*½*d.

I.

Copy of the Correspondence between the Lords Commissioners for the Custody of the Great Seal of Ireland and Lord Rossmore.

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(1.)

COMMISSIONERS OF THE GREAT SEAL,

3rd November 1883.

I AM directed by his Excellency the Earl Spencer to lay these papers, together with copies of the official reports of Mr. Triscott, District Inspector, R.I.C., and Mr. MacTernan, R.M., dated 25th October 1883, before your Lordships, with the view of your considering the action of Lord Rossmore on the occasion of the meeting at Roslea on 16th October, he at that time holding the commission of the peace.

(Signed) R. G. C. HAMILTON.

Enclosure A.

Roslea Meetings.

County of Fermanagh, Enniskillen,
25th October 1883.

In compliance with your request, I have to state that the following is what took place on the 16th instant at the Cross Roads near Mr. Madden's demesne. I arrived there some time before the procession of Orangemen, and the procession headed by Lord Crichton passed on to Mr. Madden's, and a considerable number followed, and I believed all would follow on, but I was surprised at finding one portion of the procession slightly pause, and to hear cries to "go straight on." This portion was headed by a gentleman, whom I have since learned was Lord Rossmore, but whom I did not know at the time. I at once asked them to follow Lord Crichton, but the shouts continued to "go on straight," and they continued their course while I appealed to them to follow Lord Crichton's party, but they continued to shout that "that was their way, and why should they be stopped."

I had no force to attempt such a thing as stopping them, but tried to persuade them to follow Lord Crichton's party by appealing to them on the faith of Lord Crichton's promise; and being more or less challenged as to why I would stop them,

I made my last appeal in these words, "I am not here to stop you, but Lord Crichton has given me his word to go the other way, and has gone, and I hope you will follow." Lord Rossmore then shouted out, "he is not here to stop us, so we will go on."

I then got on the car (as further reasoning was impossible) and drove back to inform you, and take precautions to preserve the peace, and remained to assist in the duty of preventing a collision, in which, though the danger was great, we were happily entirely successful.

(Signed) A. H. TRISCOTT,
District Inspector, 1st Class.

To Captain MacTernan, R.M.

Enclosure B.

Raniskillen, 25th October 1883.

I see to say on the morning of the 16th I sent Mr. Triscott, S.I., to the place of meeting of the Orangemen with a letter for Lord Crichton reminding him of the undertaking of the previous evening, and asking him to carry it out. Mr. Triscott there met Lord Rossmore, and I annex his report of what passed between them.

Not knowing which side the Orangemen would come, I had to remain at the bridge until Mr. Triscott returned. I then hurried up, and I met Lord Rossmore a short distance beyond the Nationalists. I informed him of my arrangement with Lord Crichton, and I asked him then to retire. He denied the right of Lord Crichton to make such an arrangement, and said he "and the Reverend Mr. Jagoe had made a contrary arrangement on the previous evening." I expressed my surprise, as Mr. Jagoe was in the train present, and a party to my understanding with Lord Crichton. Indeed, the reverend gentleman there and then had drawn a map giving the different routes for me. Lord Rossmore did not say much, but his friends used some very strong language. There were cries of "go on, we would like to see anyone try to stop us." "If we are let, we will soon settle the rebels," &c. His Lordship said he "would go on." I answered that his doing so would most likely lead to a breach of the peace, and that, if so, I would hold him responsible. I pointed out the danger as strongly as I could.

The fact is they were determined to go on unless stopped by force. This, I think, it would have been very imprudent to attempt, more especially as the Lancers and the 40 police I had counted on were absent.

I told Lord Rossmore I would not allow the procession to return the same way. At once there was some strong language from those with him. I was told I would be "sorry if I tried to prevent the return of the procession," they would like to see me try it, &c., &c.

I afterwards did stop the procession recrossing the river. Lord Rossmore headed it then, but I do not think I had any conversation directly with him.

I may add that in a letter from Lord Rossmore, which has appeared in the papers, I see he takes credit for having prevented a breach of the peace. I say I did not see his Lordship make the slightest effort with such an object.

(Signed) HUGH MACTERNAN, R.M.

The Under Secretary.

(2.)

Secretary's Office, Four Courts, Dublin,
6th November 1883.

MY LORD,

I AM directed by the Lords Commissioners for the Custody of the Great Seal of Ireland to state, for your Lordship's information, that papers, including copies of official reports of Sub-Inspector Triscott and Captain MacTernan, R.M., have been laid before them by the direction of his Excellency Earl Spencer, with a view of their considering your Lordship's action on the occasion of the meeting at Roslea on the 16th of October last.

Those papers disclose the following state of things as having occurred on that occasion :—

That a meeting of considerable numbers of persons was assembled at Roslea on the 16th of October last, called together as a "national demonstration" under the auspices of a body calling itself "The Irish National League."

That a counter demonstration, under placards previously circulated, was announced to take place also at Roslea on the same day, avowedly in opposition to the first mentioned meeting.

That during the time the first-mentioned meeting was assembled, and whilst considerable excitement prevailed, your Lordship, heading a procession of large numbers of men moving towards the second or counter meeting, led that meeting into such close proximity to the place of the first-mentioned meeting as to seriously endanger the public peace.

That your Lordship was remonstrated with, in the first instance by Sub-Inspector Triscott, one of the constabulary officers then charged with the preservation of the public peace, and was requested by that officer to adopt another route, which, as he stated, had immediately before been pursued by other persons on their way to the meeting to which your Lordship's procession was moving, and which route he would seem to have intimated to you to have been so adopted by those persons at the request of the authorities as a means of preserving the public peace.

That soon afterwards your Lordship, pursuing the route you persisted in following, and by which you were leading your procession, was again remonstrated with and warned by Captain MacTernan, the Resident Magistrate, also then charged with the preservation of the public peace, to alter that route, so as to avoid the risk of collision between the men forming your Lordship's procession and those assembled at the first-mentioned meeting, and that your Lordship refused so to do, and persevered in the route you had selected.

That that course was taken by your Lordship, although at the time of the Resident Magistrate's interview with you expressions of a violent and threatening character were used by several of the persons composing your Lordship's procession.

I am now further directed to state that it appears to the Lords Commissioners that the line of action adopted by your Lordship on the occasion in question, holding as you do Her Majesty's commission of the peace, calls for explanation, which you will be good enough at your earliest convenience to furnish to their Lordships.

I have, &c.

(Signed) J. NUGENT LENTAIGNE,
Secretary to the Lords Commissioners for the custody
of the Great Seal of Ireland.

To the Right Hon. Lord Rossmore,
Rossmore Park, Monaghan.

(3.)

3, Motcomb Street, Belgrave Square, London,
10th November 1883.

SIR,

I beg to acknowledge the receipt of yours of the 6th, which has been forwarded to me here; I will send a reply to it shortly.

J. Nugent Lentaigne, Esq.,
Secretary's Office, Four Courts, Dublin.

I am, &c.
(Signed) ROSSMORE.

(4.)

3, Motcomb Street, Belgrave Square, London,
19th November 1883.

SIR,

HAVING been detained in England longer than I had anticipated, when acknowledging receipt of your letter of the 6th instant, I consider it better not to delay my formal reply to your communication until my return to Ireland.

In it you say that the Lords Commissioners for the custody of the Great Seal of Ireland directed you to call my attention to certain official reports laid before them regarding my action at Roslea on the 16th October.

You will be good enough to inform their Lordships that the reports referred to, so far as the facts are given in your letter, seem to me to be substantially correct, but that I dispute entirely the conclusion arrived at, founded as they are on an imperfect knowledge of what occurred.

You say that the papers referred to disclose the following state of things, viz., "that a meeting of considerable numbers of persons was assembled at Roslea on the 16th

"October last, called together as a national demonstration under the auspices of a body calling itself the Irish-National League."

This is quite correct, but their Lordships seem to have been kept in ignorance of the real purport of that meeting, as disclosed previously in a paragraph in the "People's Advocate," the organ of the party in this district of Ulster. It is as follows: "The people of Enniskillen have resolved to send a large deputation to their fellow citizens to represent them at this national display, and participate in the declaration that no real contestation can be enjoyed in Ireland until the land has been restored to the people and an Irish Parliament re-erected in College Green;" and again, "Roslea will make known to those who undertake to rule us that success in their efforts can only come of ample justice, and that ample justice consists above all beyond all things in the establishment of an Irish Parliament in Dublin."

I need hardly say that such a declaration of a separatist and communistic programme to be adopted at the so-called "national meeting" stirred up a very bitter feeling among all loyalists, and it was a matter of much surprise to them that the Government, who in the south and west (where there was no possibility of collisions) proclaim such meetings, declined to interfere in this the only loyal province in Ireland.

Under these circumstances, at the urgent solicitation of the Orangemen of co. Monaghan and co. Fermanagh, a counter demonstration was organised, and I am happy to say it proved a complete success, unattended by bloodshed or rioting of any kind. It was, as stated in your letter, "avowedly in opposition to the first-mentioned meeting," and I trust the day will never come when loyalists will fail to organise meetings in opposition to seditious demonstrations got up for the dismemberment of the empire, and where royalty and all they hold dear are made the subject of ribaldry and abuse.

If the Government consider it part of their duty to allow meetings to be held in the north of Ireland by an organisation which, in the words of the Prime Minister, "is endeavouring to march through rapine to the dismemberment of the empire," the loyalists of Ulster must oppose by counter demonstration of doctrines which, in other parts of Ireland, had led to crime, outrage, and murder.

But it is further stated that I insisted on going the direct road to Roslea instead of taking a circuitous route of about two miles, as suggested by Sub-Inspector Triscott. The facts are these, the men under my charge were thoroughly conversant with the locality, and through some means had learnt that it was intended to march them the circuitous route, and during their progress from Clones I received reliable information that they would not be dictated to in this matter, and were determined to march by no other than the direct road to the loyalist place of meeting; and it is perfectly true, as stated in your letter, that Captain MacTernan heard expressions of determined opposition and of a violent nature from those in close proximity to me when he proposed a deviation from the direct road, but it is also true that Captain MacTernan granted permission to the procession headed by myself to pursue the route we desired on my personally pledging myself to assist him with all my influence to preserve the peace. This I happily succeeded in doing.

The Orangemen who did go as desired were in the front of the procession, and were men from distant parts of county Fermanagh who had no knowledge of the locality. My men absolutely refused to follow, and I had but a moment to decide whether I should lead them and keep them under control, or allow them to proceed alone without any controlling influence to prevent a collision. I did not hesitate as to the course it was my duty to follow, and I am now most thankful that I decided to accompany the procession.

As already stated in a letter of 20th October, published in most newspapers throughout the kingdom, I with other officers of the society, had the greatest possible difficulty in controlling the men and preventing them from retaliating on the stone-throwing and insulting mob assembled at the disloyal meeting, and had we not been present I firmly believe that a collision would have taken place, entailing in all probability a fearful loss of life.

In conclusion, I may remind their Lordships that on more than one occasion the Prime Minister, the Right Honourable W. E. Gladstone, had gone so far as to complain of the increased difficulties thrown upon his Irish Government in consequence of the "cowardice" and "traditional sluggishness and incapability of the "healthier portion of society in Ireland to do anything whatever for themselves." (October 7, 1881.) I believed, and still believe, that the course of action I adopted

on the occasion I referred to was the most practical manner in which I could respond to the Prime Minister's earnest appeal.

I am, &c.
(Signed) ROSSMORE.

J. N. Lenthalgne, Esq.,

Secretary to the Lords Commissioners for the custody of the Great Seal of Ireland, Four Courts, Dublin.

(5.)

The following is a copy of the letter referred to by Lord Rossmore in his letter of the 19th November as having been published in the newspapers.

Rossmore Park, Monaghan,
20th October 1883.

SIR,
Be good enough to insert the annexed letter in the first issue of your journal, and oblige

Yours faithfully,
(Signed) ROSSMORE.

Sedition versus Loyalty in Ulster.

Rossmore Park, Monaghan,
October 1883.

SIR,
As Grand Master of the Orangemen of the county of Monaghan, I consider it my duty to call the attention of the people of England to the very serious state of affairs which at present prevails in the province of Ulster.

I have the very best opportunity of knowing that the good temper and remarkable self-restraint which the Orange body have up to this exhibited cannot be reckoned upon in the future.

It has not been without some impatience that they have submitted to the control of their leaders for so far; and at the Rosslea meeting on Tuesday last the throwing of a few stones at the rear of our procession made it most difficult for myself and others who were with me to prevent the storming of the hill on which the Parnellite meeting was being held. But for strenuous efforts it would have been carried at a run in spite of the presence of the military and police, and the consequences would have been simply frightful.

As the head of the Orange organisation in this county, an organisation which includes none but loyal men amongst its numbers, I would ask how long the Government will allow this terrible state of things to continue? Must we wait until blood has been shed, and civil war has broken out, before an end is put to meetings which stir the blood of Ulstermen, and which, whatever the pretence may be, are simply disloyal from beginning to end.

If the Parnellite party were not certain of police protection they would not dare to hold a single meeting within the bounds of our loyal province. I appeal to the spirit of Englishmen to consider this matter, and I call upon them to put a stop to a state of affairs which is a scandal to a civilised country. I have now cleared my own conscience in this matter, and the onus of what is certain to occur unless immediate steps be taken to obviate it must fall upon the shoulders of those who are responsible for the peace of the country.

I am, &c.
(Signed) ROSSMORE,
Grand Master of the L.O.I., county Monaghan.

(6.)

Secretary's Office, Four Courts,
20th November 1883.

SIR,

I AM directed by the Lords Commissioners for the custody of the Great Seal to apprise you that, having considered the file of papers transmitted to them on 3rd November instant, their Lordships deemed it their duty to address a letter on 6th November instant to Lord Rossmore with reference to his action at Rosslea on 16th October ultimo.

In that letter their Lordships referred to the incidents mentioned in Captain MacTernan's report of the 25th October in the following words:—

"That soon afterwards your Lordship pursuing the route you persisted in following, and by which you were leading your procession, was again remonstrated with and warned by Captain MacTernan, the Resident Magistrate, also then charged with the preservation of the public peace, to alter that route so as to avoid the risk of collision between the men forming your Lordship's procession and those assembled at the first-mentioned meeting, and that your Lordship refused so to do, and persevered in the route you had selected."

"That that course was taken by your Lordship although at the time of the Resident Magistrate's interview with you expressions of a violent and threatening character were used by several of the persons composing your Lordship's procession."

Their Lordships have to-day received a letter from Lord Rossmore in which after stating that the reports referred to in their letter (being those of Sub-Inspector Triscott and Captain MacTernan), so far as the facts are given in their letter, seem to him to be substantially correct, proceeds, however, in a later part of his letter to make a statement which seems to their Lordships not to accord with Captain MacTernan's report. It is in the following words, "but it is also true that Captain MacTernan 'granted permission to the procession headed by myself to pursue the route we desired 'on my personally pledging myself to assist him with all my influence to preserve the 'peace.'

Their Lordships request that you will be good enough to call Captain MacTernan's immediate attention to this statement of Lord Rossmore, and to his own report of the 25th ultimo, and to request him to state whether he concurs in the version of the facts presented by Lord Rossmore in the above statement, and whether he has any observations to make respecting the same.

I am, &c.

The Under Secretary,
Dublin Castle.

(Signed) J. NUGENT LENTAIGNE.

Confidential.—Immediate.

(7.)

Sir,

Dublin Castle, 21st November 1883.

I AM directed by the Lord Lieutenant to inform you that Lord Rossmore, while admitting that the facts connected with the occurrences at Roslea on the 16th October are substantially correct as reported by you, says, "but it is also true that 'Captain MacTernan granted permission to the procession headed by myself to 'pursue the route we desired on my personally pledging myself to assist him with all 'my influence to preserve the peace,' and I am to request that you will be so good as to state whether you concur in the version of the facts presented by Lord Rossmore in the above statement, and whether you have any observation to make respecting the same.

I am, &c.

Captain H. MacTernan, R.M.,
Enniskillen.

(Signed) R. G. C. HAMILTON.

(8.)

Enniskillen, 22nd November 1883.

I beg to say that nothing occurred at Roslea between Lord Rossmore and me at all approaching to his Lordship's statement.

He did not "pledge" himself in any way whatever to aid me in preserving the peace; he and a number of gentlemen around him appeared to be determined to ignore my wishes and advice.

I had no compact whatever with Lord Rossmore, and his procession passed because I was not prepared to stop it. I protested in the strongest manner to the very end, and I certainly laboured under the gravest apprehensions as to the preservation of the peace.

Not alone did Lord Rossmore and his party insist on passing, but on my telling him "I would prevent his return by force, if necessary," some of the gentlemen with him

said, in his presence and hearing, they "would like to see me try it," "if I did I would be sorry," &c.

This language speaks for itself.

(Signed) HUGH MACTERNAN, R.M.

I HAVE already reported how the cavalry and 40 policemen on whom I counted were absent when the procession arrived; it was unfortunate.

(Signed) HUGH MACTERNAN, R.M.

(9.)

Secretary's Office, Four Courts, Dublin,

MY LORD,

24th November 1883.

I AM directed by the Lords Commissioners for the custody of the Great Seal of Ireland to acknowledge your Lordship's letter of the 19th instant, and to state that it raises issues entirely outside the communication made to you by them, more particularly as to the course taken by the Executive in not proclaiming certain meetings in the province of Ulster.

In reference to those issues the Lords Commissioners cannot have any discussion with your Lordship. They, as holding by their office control over Her Majesty's commission of the peace, addressed your Lordship, as one named in that commission, in relation to your action at Roslea on the 16th ultimo.

Your Lordship admits the facts mentioned in their letter as substantially correct, and those facts plainly show that your Lordship, on the day in question, took a leading and active part in a proceeding which was fraught with peril to the public peace. This, on your Lordship's letter, stands conceded; nay, further, it appears from that letter that, with the fullest knowledge of an almost certain danger and risk to the public peace, you deliberately headed and led a determined and excited procession into the immediate vicinity of the meeting to which you and your procession were opposed.

Your Lordship, however, mentions as an incident of your interview with Captain MacTernan, R.M., that you had his permission to go along the route you were pursuing. The Lords Commissioners have thought it right to obtain Captain MacTernan's additional report as to your Lordship's statement on this point. That report, unfortunately, cannot be easily reconciled with your Lordship's statement, but their Lordships do not think it necessary to pursue this conflict of recollection any further. They are willing to believe that some expressions used at the moment may have led your Lordship to think that no opposition would be offered to your persevering in the route you had insisted on following, but your Lordship must have been then aware that you had brought your procession of excited followers into such close proximity to the meeting you were opposed to that it might have been a more prudent course to allow you to go on than to attempt to repel your advance by force, even if Captain MacTernan had the means of doing so, which, as a matter-of-fact, he had not. A permission of that description, even if actually accorded, could by no means excuse the deliberate action theretofore taken by your Lordship, which, as is fully manifested by your letter of the 19th instant, as well as your published letter therein referred to, had at the very moment brought about a very dangerous and almost fatal crisis, and which, in your Lordship's letter, you seem quite ready to repeat upon any similar occasion.

If your Lordship had, indeed, been able to say that up to the time of the interview with Captain MacTernan you had not realised the dangerous consequences likely to ensue from the situation in which you had placed yourself, and that your then going forward was entirely based upon a permission at that moment given, the Lords Commissioners would have been too ready to accept an excuse on your part resting upon that state of facts.

The Lords Commissioners cannot but regard your action on the 16th ultimo as one utterly subversive of the maintenance of the public peace, and they have most distinctly to convey to your Lordship that the position asserted by your Lordship's letter to them is altogether indefensible coming from a magistrate.

It must be obvious to your Lordship that you were not called upon to give any explanation of the holding of a counter-demonstration on the day in question.

Loyal subjects of the Crown can, if they so think fit, hold their meetings to protest against what they may deem to be sedition and disloyalty or to assert their views in a legitimate manner upon any public question, but in so doing they must not either assail a meeting of those whose views they may think objectionable, or hold their counter-meeting in such close proximity thereto as to provoke or render imminent the risk of a hostile collision. They who act otherwise incur the gravest responsibility, and it cannot be allowed that magistrates should give the smallest sanction to such a course of conduct.

Upon the most anxious and careful consideration of the entire circumstances of the case, and having regard to your Lordship's letter of the 19th instant, which their Lordships can only construe as intended by you to be a justification of your conduct and an announcement of your readiness to repeat it, the Lords Commissioners are of opinion that you ought not to be allowed longer to remain in Her Majesty's commission of the peace, and they have accordingly given the necessary directions that you be superseded from further acting therein.

I have, &c.
(Signed) J. NUGENT LENTAIGNE,
Secretary to the Lords Commissioners, &c.

The Right Hon. Lord Rossmore,
3, Motcomb Street, Belgrave Square,
London.

(10.)

MR. HAMILTON,

27th November 1883.

I AM directed by the Lords Commissioners for the custody of the Great Seal to state, for the information of his Excellency the Lord Lieutenant, that on receipt of the within file their Lordships caused a letter to be addressed to Lord Rossmore with reference to his action at Roslea on the 16th ultimo, and a correspondence ensued, a copy of which is attached hereto.

That after the fullest and most anxious consideration of that correspondence, and of all the circumstances of the case, the Lords Commissioners have felt it their duty to supersede Lord Rossmore from further acting as a justice of the peace, and have communicated this decision to his Lordship.

That accordingly a writ of supersedesas addressed to Lord Rossmore was issued on the 26th instant, and in conformity with the usual custom in such cases was by post the same evening transmitted to the clerk of the peace for the county of Monaghan with the request that he would have it served upon his Lordship without delay.

It does not appear that Lord Rossmore held the commission of the peace for any other county in Ireland.

(Signed) J. NUGENT LENTAIGNE.

(11.)

SIR,

3, Motcomb Street, London,
28th November 1883.

I HAVE the honour to acknowledge the receipt of your letter of the 26th instant, written by the direction of the Lords Commissioners for the custody of the Great Seal of Ireland; and in doing so I feel bound to protest emphatically against the decision at which their Lordships have arrived as being entirely opposed to the fair meaning of your original letter of November the 6th, and the legitimate construction of my reply of November 19th.

I was in substance asked in your letter of November 6th to explain my persistence in the route of the procession which I accompanied to Roslea after having been remonstrated with and warned by Captain MacTernan. Although I deemed it my duty in replying to this communication to state the circumstances which led to the holding of the second meeting, and which would seem not to have been disclosed in the papers laid before their Lordships by direction of the Lord Lieutenant, I did not conceive that it formed any part of the charge against me that I had taken part in organising and attending the counter-demonstration on the grounds that such a proceeding would endanger the public peace. Your letter contained no such intimation. The fact that the Executive did not exercise its power of prohibiting the meetings was

a sufficient assurance that those who had the best means of knowledge were not apprehensive of danger; and the circumstance that other magistrates who took as active a part as I did had not been called on for an explanation of their conduct confirmed me in my view of your communication.

I respectfully insist that my letter of the 19th instant contains a complete answer to the only charge that had been brought against me. My admission of facts must not be wrested from its obvious meaning, and must be taken in connexion with my distinct denial of the conclusions arrived at, my supplemental statement of what actually occurred, and my explanation of the motives by which I was actuated. I stated, and if the fact be controverted, I am prepared to prove that Captain MacTernan, the Resident Magistrate, who in the terms of your letter of the 6th instant "was then charged with the preservation of the public peace," granted permission to the procession, headed by myself, to pursue the route we went, upon my personally pledging myself to assist him with all my influence to preserve the peace. I pointed out that the question of route arose for the first time while the men were on their way to Roslea, that they had absolutely refused to follow the course of the Fermanagh men, and that I had not a moment to decide whether I should continue to lead them and keep them under control or allow them to proceed alone without my controlling influence. Had Captain MacTernan persisted in his remonstrances I would have been placed in the embarrassing position of deciding whether it would be my duty to leave the procession or to take the course which my own knowledge and convictions as a magistrate familiar with the country indicated as best calculated to preserve the peace. But I was relieved from this difficulty by his giving the permission to which I have already referred.

Your letter of the 24th instant states that the Lords Commissioners "have thought it right" to obtain Captain MacTernan's additional report as to this permission, and intimates that, although such report cannot be easily reconciled with my statement, their Lordships do not think it necessary to pursue the conflict of recollection any further. I am wholly at a loss to understand what is here intended to be conveyed by the Lords Commissioners. The substance of their original charge was that I had acted against the warning of Captain MacTernan in taking a particular route. I met this by the clear and unqualified statement that I so acted with the express permission of Captain MacTernan, and with a view to prevent a collision. If this statement be accurate my explanation would be complete; and accordingly their Lordship's "thought it right" to obtain Captain MacTernan's additional report on this very point. I assume that the Lords Commissioners, who bring to the discharge of their present political functions the experience required from the exercise of judicial office, would not have applied to Captain MacTernan for further information unless they conceived that my statement, if unanswered, was sufficient justification of my action. They furnish me with no copy of the additional report; they give me no opportunity of proving my allegation, if they thought it needed corroboration; but they are good enough to admit that Captain MacTernan "may have used expressions that may have led me to think that no opposition would be offered to my persevering in the route." Even this qualified admission materially alters the character of the charge contained in your letter of the 6th instant; but I respectfully deny their Lordships' right in the absence of further investigation to qualify in the smallest degree the statement contained in my letter of November 19th—a statement which, as I have already said, I am prepared to prove by the clearest and most undoubted evidence.

Their Lordships however say "that a permission of that description could by no means excuse the deliberate action theretofore taken by me which was manifested in my letter of the 19th instant as well by my published letter." This would seem to introduce a perfectly new charge. I respectfully assert that neither my letter of the 19th instant nor my published letter manifest any deliberate action on my part as to the route to be taken by the procession. If their Lordships, bearing this in mind, will strike out of their letter of 6th November that I acted against the remonstrance and warning of Captain MacTernan, and insert instead, that I acted with his permission, they will readily see that nothing contained in that document or in my admissions can be relied on to support the extraordinary conclusion at which they have now arrived.

The only deliberate action manifested in either my published letter or that of the 19th instant was my taking part in the counter-demonstration. I have made no concealment of my motives and actions. I attended at Roslea as a loyal citizen, and for the reasons which I have set forth in my former letter to you. This much

deliberation, and this alone have I admitted, and therefore I am obliged to come to the conclusion that this is the ground upon which their Lordships have thought it right to deprive me of the commission of the peace. It is no doubt difficult to reconcile this view with their statement that it must have been obvious to me that I was not called upon to give any explanation of the holding of a counter-demonstration on the day in question. But it is the only logical conclusion that can be drawn from the correspondence. I must conclude that this is one of the inconsistencies which cannot be avoided in justifying the action of an Executive which, having the power to prohibit the holding of meetings if it deemed that the public peace would be thereby endangered, first permits them to proceed and then selecting for some reason unknown to me as a single victim one of the many magistrates who attended, removes him from the commission of the peace on the grounds that his action in so doing had a tendency to imperil the public safety.

In conclusion, I would say that although the decision of their Lordships is but of small importance to myself individually, I cannot help feeling that it will be considered by many of the loyal inhabitants of the country another slight to those who are anxious to protest against the doctrines of rapine and revolution. The action of the Lords Commissioners, who were avowedly set in motion by the head of the Irish Government, will be attributed not to the ordinary control which by virtue of their office they exercise over Her Majesty's commission of the peace, but to the position which they now hold in the absence of a Lord Chancellor as political advisers of the Executive. It will be regarded as part of the same policy that rewards men who convene a seditious meeting in a hitherto peaceful district by disarming an orderly and law-abiding population; and a contrast will undoubtedly be drawn between the zeal exhibited by the Government in the present instance and the tolerance which it has often shown towards language and conduct which have afforded the most direct stimulant to violence and outrage.

I am, &c.

(Signed) ROSSMORE.

To J. N. Lentaigne, Esq.,
Secretary to Lords Commissioners for the
custody of Great Seal of Ireland.

(12.)

Secretary's Office, Four Courts, Dublin,
29th November 1883.

My LORD,

I AM directed by the Lords Commissioners for the custody of the Great Seal of Ireland to acknowledge the receipt of your Lordship's letter of the 28th instant, and to state that their Lordships find nothing in it which can induce them to doubt the propriety of the decision which they felt coerced to make upon the fullest consideration of the uncontroversied facts of the case.

They must therefore decline to discuss further the matter with your Lordship.

I have, &c.

(Signed) J. NUGENT LENTAIGNE,
Secretary to the Lords Commissioners, &c.

The Right Hon. Lord Rossmore,
3, Motcomb Street, Belgrave Square, London.

(13.)

MR. HAMILTON,

30th November 1883.

With reference to the file of correspondence on the subject of Lord Rossmore's action at Rosslin on the 16th ultimo, I am directed by the Lords Commissioners for the custody of the Great Seal to transmit for the information of his Excellency the Lord Lieutenant a copy of a further letter received from Lord Rossmore yesterday, and also a copy of their Lordships' reply thereto.

(Signed) J. NUGENT LENTAIGNE.

II.

Copy of the Correspondence between the Lord Chancellor of Ireland and Sir John Leslie, Baronet.

INDEX TO DOCUMENTS.—PART II.

(1.) Letter from Sir John Leslie to the Secretary to the Lord Chancellor	-	12th December 1883.
(2.) Letter from the Secretary to the Lord Chancellor to Sir J. Leslie	-	13th " 1883.
(3.) Reply from the Lord Chancellor to Sir John Leslie	-	17th " 1883.
(4.) Letter from Sir John Leslie to the Lord Chancellor	-	20th " 1883.
(5.) Reply from the Lord Chancellor	-	22nd " 1883.

(1.)

11, Stratford Place, Oxford Street, London,

12th December 1883.

DEAR SIR,

MY attention having been called to the correspondence recently published between the Lords Commissioners for the custody of the Great Seal of Ireland and Lord Rossmore, from which it appears that Lord Rossmore has been superseded in the exercise of the commission of the peace in consequence of his connexion with a meeting held at Roslea in the month of October last, I feel it to be my duty to state, for the instruction of the Lords Commissioners, or if the Great Seal is no longer in commission, of the Lord Chancellor, that I, being a justice of the peace for the counties of Monaghan and Donegal, attended the meeting in question and took an active part in organising it, having been influenced to do so by the considerations and reasons which are mentioned in detail in Lord Rossmore's letters. I ought also to add that I was with Lord Rossmore and the men who accompanied him during the whole of their march from Clones to Roslea, and was present at the interview between Lord Rossmore and the sub-inspector who represented Captain MacTernan at the critical point where the direct road to Roslea was joined by the more circuitous route which Lord Rossmore decided not to take. I need hardly say that I did not then, nor do I now, conceive that there was anything in my course of action unbecoming my position as a magistrate, but as I find it difficult to distinguish my case from that of Lord Rossmore, I feel that I would be open to censure were I not to give this information to the Lords Commissioners.

I am, &c.

(Signed) JOHN LESLIE, J.P.,
and High Sheriff of co. Monaghan.

To J. Nugent Lentaigne, Esq.,
Secretary to the Lord Chancellor,
Four Courts, Dublin.

(2.)

Four Courts, 13th December 1883.

SIR,
I BEG to acknowledge your letter of the 12th instant, which I will lay before the Lord Chancellor at the earliest opportunity, he having now been sworn in.

I am, &c.

(Signed) J. NUGENT LENTAIGNE.

Sir John Leslie, Bart.,
&c. &c.

11, Stratford Place, Oxford Street, London.

(3.)

Lord Chancellor's Secretary's Office, Four Courts, Dublin,
17th December 1888.

SIR,

I AM directed by the Lord Chancellor to acknowledge your letter of the 12th instant, and in reference to the passage therein relating to the Rosles meeting in October last, in which you say that you find it difficult to distinguish your case from the case of Lord Rossmore, I am directed to state that the Lord Chancellor, upon the information before him, sees marked features of distinction between the two cases. To enter upon those features in full detail would be obviously unreasonable. But certain unquestionable facts stand manifest. Lord Rossmore was the leader on the occasion in question, and after it had come to his Lordship's knowledge that the men he headed would insist on not proceeding by the route which other portions of the processions afterwards followed, he continued to lead his men to the point most truly described by you as "*the critical point*" where the circuitous route diverged, and there, in the face of Inspector Triscott's most proper and urgent remonstrance and of the fact that the other portions of the procession had actually pursued that route which Inspector Triscott intimated was adopted at the request of the authorities as a means of preserving the public peace, he decided not to take it, and still continued to lead his followers, they being then in a most excited state, into such close proximity to the Nationalist meeting that a fatal breach of the peace was well nigh brought about. Lord Rossmore's own words in his letter published soon after the meeting, and referred to by him in his letter to the Lords Commissioners of the 19th November ultimo, thus states the danger that was incurred: "and at the Rosles meeting the throwing of a few stones at the rear of our procession made it difficult for myself and others who were with me to prevent the storming of the hill on which the Parnellite meeting was being held; but for strenuous efforts it would have been carried at a run in spite of the presence of the military and the police, and the consequences would have been simply frightful." The terrible risk to the public peace incurred by the adoption of the road which Lord Rossmore as *leader* decided to take and insisted on pursuing cannot be made more apparent.

The grounds of Lord Rossmore being superseded in the commission of the peace are plainly disclosed in the letter of the Lords Commissioners to him of the 24th November ultimo, contained in the correspondence mentioned in your letter. They are not based upon his taking part in the organisation or holding of a counter-meeting, but rest upon the fact that he as leader of a determined and excited procession, being a magistrate, committed an act highly calculated to endanger the public peace by leading that procession into the immediate vicinity of the meeting to which it was opposed. It by no means follows that your acquiescence in Lord Rossmore's decision to go forward, even at the critical point you mention, would involve you in the same degree of responsibility, which must always be estimated as it affects individuals by the entire circumstances of their conduct before, during, and after any given transaction, and I am directed to add that in Sub-Inspector Triscott's official report your name is not even mentioned.

The Lord Chancellor, in relation to an observation in your letter "that you do not now conceive there was anything in your course of action unbecoming your position as a magistrate," deems it right to lay before you some considerations, founded upon a view of the law which he is satisfied is entirely correct, which he hopes will commend themselves to your calm and dispassionate judgment. In times like the present, when a meeting is being held which is not proclaimed by the Executive or which the magistrates acting on their inherent powers do not resolve to suppress as illegal, such meeting cannot *a priori* be deemed illegal. Parties who assail such a meeting would be common disturbers of the public peace, but parties who, after organising a counter-meeting, bring their forces in close proximity to the place of the meeting which is objectionable to them, particularly when in so doing they exhibit indications of defiance or a challenge, incur responsibility of a most serious character—that of endangering the public peace in the very highest degree. A magistrate assigned to preserve the peace ought not to take any part in such a proceeding, his duty is either to be absent altogether, or only to be present as an impartial person to aid the constituted authorities in preserving the peace. If a magistrate takes part in an antagonistic gathering which is to pass in close proximity to a meeting to which it is opposed he essays a most dangerous and unallowable course of conduct, as he thereby gives his sanction to a situation highly calculated to

render a breach of the peace imminent; for the smallest insult, a stone's throw, a pistol shot, may under such circumstances precipitate a hostile collision, possibly to result in the loss of many lives; certain to end in such loss if both or either of the bodies possess fire arms. But what in the event of a collision is to be the action of the magistrate? The first meeting will assuredly regard him as a mere partisan of the counter gathering, and treat him as such, the latter will as assuredly regard him as one of themselves pledged to sustain them in the conflict, his entire authority as a magistrate bound to sustain the peace and due respect for the law will have perished in one moment.

These considerations if properly weighed will, as the Lord Chancellor trusts, enable you and other magistrates to understand the course of conduct which ought to be pursued in the interests of the public peace and the commission which they hold, upon occasions like the one in question.

I have, &c.

(Signed) J. NUGENT LENTAIGNE.

To Sir John Leslie, Baronet, D.L., J.P.,
11, Stratford Place, London.

(4.)

SIR,

Amport House, Andover, 20th December.

I beg to acknowledge the receipt of your letter dated 17th of December. It is satisfactory to me to find, after reading the rules laid down by the Lord Chancellor for the guidance of a magistrate placed in the position that I was at Roslea, that I did nothing contrary to those rules save one thing; for, although I went there resolved "to aid the constituted authorities in the preservation of the peace," I must admit that as between one meeting of persons who publicly express disloyalty to the Throne, and another brought together to express its attachment to the Queen and Constitution, I could not feel "impartial."

As neither Lord Rossmore or I had any idea on leaving Clones to march to Roslea that we were to pass in "close proximity" to the other meeting we became exempt from censure on that head, according to the conditions laid down in your letter.

I am glad to find that my view of the "critical point" in the march of the Orangemen to Roslea is accepted by you, as it appears to me that had Captain MacTernan taken the same view of it he would have been at that point to order, if he had authority to do so, and, if not, to counsel and advise the respective leaders of the Fermanagh and Monaghan Orangemen.

Lord Rossmore was invited to follow Lord Crichton's men by a sub-inspector of police, whose words I heard, as I was close to him at the time of their delivery, but without hearing any sufficient reason for inviting Lord Rossmore and his party to walk the extra distance. As it turned out, the fears which gave rise to the precautionary strategy which involved the invitation to Lord Rossmore were dispelled by the result of his choosing the direct road to Roslea; and exposed the febleness of that strategy, for his party marched in close proximity to an assemblage of dangerous persons without any collision, and in perfect order, at a time when, by the strategy to which I have alluded, the military force were rendered useless as they were in occupation of a bridge a mile in front of Lord Rossmore's party at the time when Lord Rossmore's party and the assemblage of dangerous persons were in "close proximity."

I affirm that I was witness to the fact that to the steadiness of the Orangemen, and not to any military arrangements, the absence of either riot or disorder was entirely due.

Under these circumstances Lord Rossmore's degradation, in consequence of the actual occurrences of which I was myself a witness, appears to be as yet unaccounted for.

I have, &c.

(Signed) JOHN LESLIE, J.P.

I beg to add that I hope to be at Glasslough on Saturday next.

(5.)

Lord Chancellor's Secretary's Office, Four Courts, Dublin,
22nd December 1883.

SIR, I beg to acknowledge the receipt of your letter of the 20th instant, and to state that I have laid the same before the Lord Chancellor, who directs me to say that he does not see any necessity of having any further correspondence with you on the subject thereof.

I have, &c.

Sir John Leslie, Bart., D.L., J.P.

(Signed) J. NUGENT LENTAIGNE.

III.

Copy of Correspondence between His Excellency the Lord Lieutenant of Ireland and the Earl of Lanesborough, Her Majesty's Lieutenant of the County Cavan.

INDEX TO DOCUMENTS.—PART III.

(1.) The Earl of Lanesborough to His Excellency the Lord Lieutenant of Ireland 2nd January 1884.
 (2.) The Under Secretary to the Lord Lieutenant to the Earl of Lanesborough 11th " 1884.

(1.)

Lanesborough Lodge, Belturbet,
2nd January 1884.

YOUR EXCELLENCY,

I HAVE the honour to inform you that I was called upon to convene a meeting of the magistrates of the county of Cavan for the purpose of giving expression of their views with respect to the dismissal of Lord Rossmore from the commission of the peace, and I beg to forward a copy of the resolutions unanimously adopted at that meeting.

I have, &c.
 (Signed) LANESBOROUGH,
Lieutenant, county of Cavan.

To his Excellency the Lord Lieutenant of Ireland, K.G.,
 &c. &c. &c.

Enclosures in (1.)

Resolution 1.

We, the magistrates of the county of Cavan, desire to enter our respectful but most emphatic protest against the action of the Lords Commissioners of the Great Seal in their recent removal of Lord Rossmore from the commission of the peace.

No tangible reason has been brought forward to justify a course, which, adopted as it was without affording Lord Rossmore an opportunity of producing evidence in support of his statements, we cannot but designate as arbitrary, unjust, and calculated to detract from the dignity of the Bench, interfere with its freedom of action, and militate against the impartial administration of justice in this country.

We do not see that Lord Rossmore, under trying circumstances, acted in a manner contrary to his position as a justice of the peace, and we believe and hope that we should have acted in a like manner if placed in a similar position.

Proposed by the Honourable H. Cavendish Butler, D.L.

Seconded by Edward Sanderson, Esq., D.L.

(Signed) LANESBOROUGH,
Chairman.

Resolution 2.

While we are at all times anxious to support Her Majesty's representative in Ireland, and to uphold the authority of the law, we deeply deplore that his Excellency the Lord Lieutenant and the Lords Commissioners of the Great Seal thought it necessary to take a step which has in a great degree tended to discourage those who were ready to manifest a loyal public opinion, and has directly encouraged that

dangerous and disloyal portion of the community whose aim is the dismemberment of the empire and the destruction of the Throne.

Proposed by Somerset Maxwell, Esq., D.L.

Seconded by George D. Beresford, Esq., M.P., D.L.

(Signed) LANESBOROUGH,
Chairman.

Resolution 3.

Entertaining as we do unabated attachment to the Crown and Constitution, we pray that Her Majesty's Government will not consent to any legislative changes that may in any measure weaken the union between Great Britain and Ireland.

Proposed by Samuel Sanderson, Esq.

Seconded by A. W. J. Sankey, Esq.

(Signed) LANESBOROUGH,
Chairman.

(2.)

MY LORD,

Dublin Castle, 11th January 1884.

I HAVE submitted to the Lord Lieutenant your letter of the 2nd instant, enclosing a copy of resolutions passed at a meeting of magistrates of the county of Cavan, and I am directed by his Excellency, in the first instance, to express his dissent from the terms of the first resolution, and the language in which it is concluded.

He has forwarded your letter and its enclosures to the Lord Chancellor whose duty it is, as head of the judicial body in Ireland, to deal with the conduct of magistrates. The decision in such matters does not rest with his Excellency, but he brought the case of Lord Rossmore before the Lords Commissioners who were at the time in custody of the Great Seal, because it seemed to him that Lord Rossmore's conduct at the Roslea meeting caused danger to the public peace. His Excellency took that course under a strong sense of duty, and with no desire to discourage any proper demonstration of loyal public opinion. His Excellency further directs me to say that he entirely concurs in the views of the Lord Chancellor as stated in his letter to Sir John Leslie which has appeared in the newspapers, both upon the case of Lord Rossmore and generally as regards the duties of magistrates in cases where the public peace is endangered by such causes as were in operation at Roslea.

With regard to the third resolution forwarded by you, I am directed to say that his Excellency and Her Majesty's Government are most anxious to maintain the union of the empire and the stability of the Throne, and that these considerations govern all legislative changes which have been or will be proposed by them for Ireland.

To the Earl of Lanesborough,
Lanesborough Lodge, Belturbet.

I have, &c.
(Signed) R. G. C. HAMILTON.